



**PUBLIC NOTICE**  
**ANNOUNCING THE FINAL DECISION ON THE REVOCATION OF**  
**NATIONWIDE PERMITS**

U.S. Army Corps of Engineers  
Chicago District

Issue Date: Thursday, January 11, 2001

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On March 9, 2000, the U. S. Army Corps of Engineers published a notice in Part III of the Federal Register (65 FR 12818 – 12899) announcing the issuance of five new Nationwide Permits (NWP), the modification of six existing NWPs, the modification of nine NWP general conditions, and the adoption of two new NWP general conditions. The five new NWPs are activity-specific and authorize certain activities in non-tidal waters of the United States that have minimal adverse effects on the aquatic environment. The new NWP general conditions limited the use of certain NWPs in designated critical resource waters and waters of the United States within 100-year floodplains.

On September 29, 2000, the Chicago District (District) published its intention to revoke previously suspended nationwide permits and the new Nationwide Permits numbered 39, 41 and 42.

The March 9, 2000 [Federal Register notice](#) is available on the Internet at the Corps Home Page. For information on the nationwide permit program in the Chicago District, visit our [website](#). Interested parties were invited to provide written comments on the proposed revocation. No written comments were received during the comment period. On January 5, 2001, the U.S. Army Corps of Engineers, Great Lakes and Ohio River Division, Division Engineer, revoked the requested Nationwide permits (NWPs). The approval of the proposed revocation concluded this process. Attached is an index of all permits revoked or retained.

If you have any questions, please contact Karon Marzec of my staff by telephone at (312) 353-6400, extension 4030, or email at [karon.m.marzec@usace.army.mil](mailto:karon.m.marzec@usace.army.mil).

FOR THE DISTRICT ENGINEER:

/original signed/  
Mitchell A. Isoe  
Chief, Regulatory Branch

## **ATTACHMENT: Index of Existing, New/Reissued Nationwide Permits Revoked/Retained in the Chicago District**

### **A. NATIONWIDE PERMITS REVOKED IN THE CHICAGO DISTRICT**

- |                                       |  |
|---------------------------------------|--|
| 1. Aids to Navigation                 | 22. Removal of Vessels                             |
| 3. Maintenance                        | 25. Structural Discharges                          |
| 7. Outfall Structures and Maintenance | 26. Headwaters and Isolated Discharges             |
| 10. Mooring Devices                   | 27. Stream and Wetland Restoration Activities      |
| 11. Temporary Recreational Structures | 29. Single Family Housing                          |
| 12. Utility Line Activities           | 31. Maintenance of Existing Flood Control Projects |
| 13. Bank Stabilization                | 32. Completed Enforcement Actions                  |
| 14. Linear Transportation Crossings   | 33. Temporary Construction and Access              |
| 18. Minor Discharges                  | 36. Boat Ramps                                     |
| 19. Minor Dredging                    | 38. Cleanup of Hazardous and Toxic Waste           |
| 20. Oil Spill Cleanup                 |  |

### **B. NEW NATIONWIDE PERMITS REVOKED IN THE CHICAGO DISTRICT**

- 39. Residential, Commercial, Institutional
- 41. Drainage Ditches
- 42. Recreational

### **C. NATIONWIDE PERMITS RETAINED BY THE CHICAGO DISTRICT**

- |  |   |
|--|---|
| 2. Structures in Artificial Canals         | 21. Surface Coal Mining Activities          |
| 4. Fish and Wildlife Harvesting Activities | 23. Approved Categorical Exclusions         |
| 5. Scientific Measurement Devices          | 24. State Administered Section 404 Programs |
| 6. Survey Activities                       | 28. Modifications to Existing Marinas       |
| 8. Oil and Gas Structures                  | 30. Moist Soil Management for Wildlife      |
| 9. Structures in Fleeting/Anchorage Areas  | 34. Cranberry Production Activities         |
| 15. U.S. Coast Guard Approved Bridges      | 35. Maintenance Dredging of Existing Basins |
| 16. Return Water From UCD Areas            | 37. Emergency Watershed Protection          |
| 17. Hydropower Projects                    |   |

### **D. NEW/ REVISED NATIONWIDE PERMITS TO BE RETAINED BY THE CHICAGO DISTRICT**

- 40. Agricultural Activities
- 43. Stormwater Management Facilities
- 44. Mining Activities

As noted in the January 3, 2000 and September 29, 2000 public notices, these activities can possibly be authorized under the District's Regional Permit Program (RPP) provided that they meet its specific terms and conditions. The District offers the following guidance for applicants who requested authorization under NWPs 39, 41, 42, as they were in effect prior to revocation:

**a. For any application determined by the District to be complete for authorization under NWPs 39, 41 and 42 by the close of business on January 4, 2001**, the District will continue to process the application under the Nationwide terms and conditions set forth in the Federal Register notice issued March 9, 2000.

**b. For any application determined by the District not to be complete by the close of business on January 4, 2001, or any application received after January 4, 2001** the District will review under other avenues for authorization, which may include (but not limited to), the RPP or individual permit procedures. Projects previously authorized under the above mentioned permits will continue to be authorized until the expiration date noted in your received correspondence or permit.